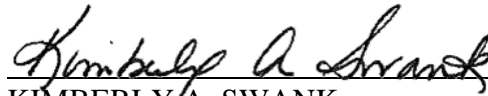




and examine witnesses at the hearing. Defendant declined to present any evidence and offered no objections to the report submitted by Dr. Barnette.

Based upon the information set forth Dr. Barnette's report, to which no objection was made, the court finds by a preponderance of the evidence that Defendant is presently capable of understanding the nature and consequences of the proceedings against him and is presently able to assist properly with his defense. Accordingly, the court determines that Defendant is competent to proceed in this matter.

This 9th day of December 2015.

A handwritten signature in cursive script, reading "Kimberly A. Swank", is written over a horizontal line.

KIMBERLY A. SWANK

United States Magistrate Judge